



Deval L. Patrick, Governor
Timothy P. Murray, Lt. Governor
Richard A. Davey, Secretary & CEO
Frank DePaola, Administrator



PERMIT - READING

Indirect Access, Street Approach Modification, Traffic Signal Improvements

Permit #: 4-2011-0158

Subject to all the terms, conditions, and restrictions printed or written below, permission is hereby granted to PULTE HOMES OF NEW ENGLAND, LLC for the purpose of gaining INDIRECT ACCESS to their property located adjacent to the northerly location line of Route 128 southbound and the Route 28 (Main Street) on-ramp to Route 128 southbound in accordance with M.G.L. Chapter 81, Section 21, as amended by Chapter 15, Section 60 of the Acts of 1988. This permit allows for the construction of 424 residential units including 16 townhomes (located in four buildings) and 408 apartments (located in nine buildings) to be in accordance with the Executive Office of Energy and Environmental Affairs EEA Number: 14688. Also, to enter upon the state highway known as Route 28 (Main Street) for the purpose of performing traffic signal improvements to the Route 28 at South Street Intersection and reconstructing the South Street approach on the westerly side of Route 28 to be located between approximate stations 13+33 and 13+77 at the westerly location line and flaring to stations 13+14 and 13+97 at the edge of the roadway as shown on the plans submitted and on file in the District Four Permit Office by Dermot J. Kelly Associates, Inc. titled "Main Street (Route 28) at South Street and Jacob Way, Reading Massachusetts" and dated 4/20/11 with a revised date of 9/20/11.

Immediately upon receipt of this permit, the Grantee shall contact the Layout Section in MassDOT's Boston Office at 617.973.7535 to initiate the alteration of the State Highway Layout. The Grantee shall prepare all necessary documentation associated with the alteration in a form acceptable and to the satisfaction of MassDOT. Said Layout alteration shall be fully executed within 6 months from the date of permit issuance or the permit shall become null and void.

WORK HOURS: 9:00 A.M. thru 3:00 P.M. Monday thru Friday.

The Grantee/Applicant shall record any Vehicular Access Permit or any Non-Vehicular Access Permit involving drainage at the appropriate registry of deeds. Any Permit issued by MassDOT that requires recording shall not be effective until recorded at the appropriate registry of deeds and a notice of recording is submitted to the District Highway Director.

The Grantee shall not engage in any work under benefit of this Permit until a MassDOT Roadway Work Notification Form (attached) is filed with the District Permit Office prior

to the start of work. The form must contain the required information and have the proper signatory approval. The form must be submitted no later than 12:00 PM on the Wednesday prior to the week the work will begin. The duration of work approvals shall be limited to one week at a time. If the work exceeds one week then a new Roadway Work Notification Form is required to be submitted for each additional week. The Grantee can fax the completed form to MassDOT at 781.646.5115.

The Grantee shall notify the District Permit Office at 781.641.8451, two (2) working days prior to the start of work. No work shall be authorized without said notification.

The Grantee shall contact the Area Contact Person (7:30 AM to 4:00 PM Monday through Friday) at 617.279.7206, two (2) working days prior to the start of work.

The Contractor is responsible to ensure that all contractor personnel, including all subcontractors, working on the project are issued and are wearing all necessary personal protective safety equipment while working within the project limits. This equipment shall include, as a minimum, a hardhat and a safety vest, regardless of the type of work being performed. Other safety equipment shall be added as required to perform the work in which they are engaged and in accordance with all local, state and federal requirements in effect.

A copy of this permit must be on the job site at all times for inspection. Failure to have this permit available will result in suspension of the rights granted by this permit until such permit is made available.

The Completion of Work Form shall be sent to the Grantor as soon as possible after the completion of the physical work.

Uniformed Police Officers with their official vehicles shall be in attendance at all times while work is being done under this permit.

The furnishing and erecting of all required signs and traffic safety devices shall be the responsibility of the Grantee.

All signs and devices shall conform to the 2003 edition of the Manual on Uniform Traffic Control Devices (MUTCD) with the Commonwealth of Massachusetts Amendments.

Cones and non-reflecting warning devices shall not be left in operating position on the highway when the daytime operations have ceased. If it becomes necessary for this Department to remove any construction warning devices or their appurtenances from the project due to negligence by the Grantee all costs for this work will be charged to the Grantee.

Flashing arrow boards will be used at all times when operations occupy the roadway and shall be available for use at all times.

All warning devices shall be subject to removal, replacement and repositioning by the Grantee as often as deemed necessary by the Engineer.

The Grantee shall not engage in any signalization work under benefit of this Permit until the appropriate Signal Permit and Utility Agreements have been both approved and signed by the Boston Office.

The Grantee's project traffic design engineer shall provide shop drawing review, final signal inspection services, punch list resolution and electronic as-built drawings. Signal work will not be accepted until all outstanding punch list items have been addressed and as built drawings are submitted to the District Traffic Engineer in the standard signal inventory format and software version and approved.

The Grantee shall also obtain the services of a qualified engineering consulting firm, acceptable to the Department, to provide continuous on-site inspection of any traffic signal, highway lighting, flashing beacon, illuminated sign, other electrical work or traffic management associated with this project. This consultant shall be present during all mast arm, strain pole and controller cabinet foundation installations to insure proper location, orientation and conformance to design standards. This consultant shall submit weekly reports to the District 4 Permits Office summarizing daily activities and progress. The requirements of this and the preceding paragraph can be combined and completed by the same consultant, provided the consultant is acceptable to the Department.

Whenever work is to be done within two hundred (200) feet of existing State Highway Traffic Signals, the District Office must be notified by the Grantee at least 48 hours prior to the start of work by calling the District Traffic Office at 781.641.8484.

Care shall be exercised so as not to disturb any existing State Highway Traffic Loops. If said loops are disturbed, they shall be restored immediately after the end of the work day to their original condition. All expenses for restoring conditions shall be borne by the Grantee.

The Grantee shall have an approved signal contractor retained to place signals on max recall when loops are cut or traffic is detoured around working loops. The contractor shall replace all disturbed loop detectors in kind. A written report of all new loop detector tests shall be certified and submitted upon completion, at which time the signal timing shall revert to its original settings.

The drive/drives shall be surfaced with Bituminous Concrete, Type I and shall be comprised of a 3" Class I Bituminous Concrete Base Course and two (2) 1 1/2" courses of

Class I Bituminous Concrete Pavement for a total depth of 6" with a foundation of at least 6" of compacted gravel. The finished surface shall butt into and not overlap the existing highway grade at the road edge.

The drive/drives shall be graded so that no water shall enter the State Highway layout nor pond or collect thereon, including the roadway.

The curb shall be placed in conjunction with or immediately before the completion of the driveway surfacing.

Curbing and/or bituminous concrete removed from within the proposed driveway limits shall be disposed of outside the State Highway location lines.

The Grantee shall install either granite or bituminous concrete curbing outlining the limits of the driveway approaches.

The part of the drive/drives located within the limits of the State Highway shall be maintained by the Grantee, at his own expense and to the satisfaction of the District Highway Director or an authorized Representative.

Sidewalks and Wheelchair ramps shall be constructed in accordance with 521 CMR Rules and Regulations of the Architectural Access Board (AAB) and Americans with Disabilities Act (ADA), (Sections 20.2 and 21.1), and the MassHighway Wheelchair Ramp Standards booklet effective 10/8/97, and the Construction and Traffic Standards Details, 1996 Metric Edition as revised.

The Grantee shall not engage in any signalization work under benefit of this Permit until the appropriate Signal Permit and Utility Agreements have been both approved and signed by the Boston Office.

The cost of electrical energy consumed by the operation of the traffic signal during the construction, fine tuning and testing of the signal shall be borne by the Grantee.

Provisions shall be made for the safety and protection of Pedestrian Traffic during the construction period

It shall be the responsibility of the Grantee to provide access to the property of residents and business owners during the progress of the proposed work.

The Grantee shall not engage in any utility work under benefit of this Permit. Nothing in this Permit shall be construed as authorizing any installation or maintenance thereof. For all driveway/roadway applications requiring utilities (water, gas, sewer etc.), a separate Permit must be applied for by the appropriate Utility Company or Municipality.

The Grantee shall notify Dig-Safe at 1.888.344.7233 at least 72 hours prior to the start of work for the purpose of identifying the location of underground utilities.

Dig-Safe # To be obtained prior to the commencement of work.

All work shall be in compliance with the 1988 Edition of the "Massachusetts Highway Department Standard Specifications for Highways and Bridges", and Supplemental Specifications Dated June 6, 2006.

No equipment, trucks, workers, etc., shall occupy any part of the traveled way except between the hours of 9:00 A.M. and 3:00 P.M. Monday thru Friday. Except for an emergency, in no case will operations exceed the specified hours without the prior approval of the District Highway Director or an authorized Representative. This includes the placement of traffic control devices, vehicles, equipment or anything that restricts the flow of traffic through the construction zone. Emergencies must be unexpected situations or sudden occurrences of a serious and urgent nature that demand immediate attention.

No work shall be done under the terms of this permit on Saturdays, Sundays or Holidays.

No work will be performed on the day before or the day after a holiday or a long weekend which involves a holiday on any highway, roadway or property under the control of the MassDOT Highway Division or in areas where the work would adversely impact the normal flow of traffic on the State Highway System, without permission of the District Highway Director or an authorized Representative.

It is imperative that construction operations are managed so that motorists travel "delay" is minimized. At any time during the operation when a traffic delay of over twelve (12) minutes occurs and the situation is worsening, the Grantee will begin to suspend operations. Continuously increasing "delays" of over twelve (12) minutes are not to be permitted and may result in the termination of this Permit by the Department.

Two way traffic shall be maintained at all times.

When in the opinion of the Engineer, this operation constitutes a hazard to traffic in any area, the Grantee may be required to suspend operations during certain hours and to remove his equipment from the roadway.

Care shall be exercised so as not to disturb any existing State Highway Traffic Duct Systems or any underground structures that exist. If said system is disturbed, it shall be restored immediately to its original condition. Also any damaged Traffic lines shall be restored to their original condition. All expenses for restoring conditions shall be charged to the Grantee. Temporary video detection may be required if traffic congestion/delays become an issue.

The Grantee will be responsible for any damage caused by this operation to curbing, structures, roadway, etc.

The Grantee shall be responsible for any settlement which may occur as a result of the work done under this permit.

The Grantee shall be responsible for any ponding of water which may develop within the State Highway Layout, caused by this work.

No work shall be authorized during snow, sleet, or ice storms and subsequent snow and ice operations.

No bituminous concrete shall be installed between November 15th and April 15th without prior approval from the District Highway Director or an authorized Representative.

The State Highway Layout shall be kept clean of debris of any nature at all times and shall be thoroughly cleaned at the completion of this permit.

At the completion of this permit, all disturbed areas shall be restored to a condition equal or similar to that which existed prior to the work.

All utility companies whose services are located within or adjacent to the proposed installation areas shall be notified in writing of the proposed installation at least 48 hours prior to the start of any excavation in said areas. This is independent of the required dig safe notification.

Any grass areas disturbed within the State Highway Layout shall be graded, loamed to a depth of 4" and seeded.

If the sidewalk area is disturbed, it shall be restored, full width, in kind a minimum of five feet beyond any disturbed area.

The splicing of cables is not allowed within the MHD layout.

It shall be the responsibility of the Grantee to replace all pavement markings which have been disturbed by this permit. These pavement markings shall be restored within ten (10) days after this work is performed or as deemed necessary by the District Highway Director or an authorized Representative.

Any bound marked MHB shall not be removed or disturbed. If it becomes necessary to remove and reset any highway bounds then the Grantee shall hire a Registered Professional Land Surveyor to perform this work. It shall be the responsibility of this land surveyor to submit to this office a statement in writing and a plan containing his stamp and signature showing that said work has been performed.

The Grantee assumes all risk associated with any environmental condition within the subject property and shall be solely responsible for all costs associated with evaluating, assessing, and remediating, in accordance with all applicable laws, any environmental contamination (1) discovered during Grantee's work or activities under this permit to the extent such evaluation, assessment or remediation is required for Grantee's work, or (2) resulting from Grantee's work or activities under this permit. Grantee shall notify Grantor of any such assessment and remediation activities. The Grantee is hereby held solely responsible for obtaining and maintaining any and all environmental compliance permits required by local, state and federal laws and regulations when regular or emergency work is proposed within, or in close proximity to, any wetland area.

This permit is issued with the stipulation that it may be modified or revoked at any time at the discretion of the District Four Highway Director or an authorized Representative without rendering said Department or the Commonwealth of Massachusetts liable in any way.

The Grantee shall indemnify and hold harmless the Commonwealth and its Highway Division against all suits, claims or liability of every name and nature arising at any time out of or in consequence of the acts of the Grantee in the performance of the work covered by this permit and or failure to comply with terms and conditions of the permit whether by themselves or their employees or subcontractors.

The Grantee shall provide to the Commonwealth at no cost, all land under its control, as shown on the plans necessary to complete the improvements contemplated under the permit.

APPLICANT'S REPRESENTATIVE: Dermot J. Kelly

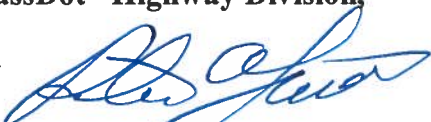
TELEPHONE NUMBER: (978) 664-2205

The Permit shall be void unless the work herein contemplated shall have been completed before December 16, 2012.

Dated at Arlington this 16th day of December, 2011.

MassDot - Highway Division,

By



**Patricia A. Leavenworth, P.E.
District Highway Director**

MJF/mjf



MASSACHUSETTS Roadway Work Notification Form

Page: 1 of 1

Start Date: _____ Start Time: _____ End Date: _____ End Time: _____

☐ Construction: No. _____ ☐ Bridge Inspection ☐ Maintenance Crew
☐ Permit Project: No. _____ ☐ Other: _____

District: _____ City/Town: _____
Roadway: _____ Direction: ☐ NB ☐ SB ☐ EB ☐ WB ☒ OTHER

From: _____ To: _____
(Exit # or Intersecting Street) (Exit # or Intersecting Street)

Bridge No.: _____ over _____
(Roadway) (Roadway, Waterway, Railroad, Other)

Ramp Closures:

Exit # _____ From, _____ To, _____
(Roadway & Direction) (Roadway & Direction)

Brief Description of Work: (Attach second sheet for multiple lane closures or additional information)

Existing Lanes	S = Shoulder L = Travel Lane M = Median							
Lane Usage	O = Open X = Closed							



Contact Person: _____ Radio ID: _____
Cell Phone: _____ Office Phone: _____

Recommended: _____ Approved: _____ Date: _____

Phase One

District: _____ City/Town: _____

Roadway: _____ Direction: ☐ NB ☐ SB ☐ EB ☐ WB ☐ OTHER

Brief Description of Work: (Attach second sheet for multiple lane closures or additional information)

Existing Lanes S = Shoulder L = Travel Lane M = Median								
Lane Usage O = Open X = Closed								



Phase Two

District: _____ City/Town: _____

Roadway: _____ Direction: ☐ NB ☐ SB ☐ EB ☐ WB ☐ OTHER

Brief Description of Work: (Attach second sheet for multiple lane closures or additional information)

Existing Lanes S = Shoulder L = Travel Lane M = Median								
Lane Usage O = Open X = Closed								





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Completion of Work

You may proceed with the work described within this Permit, which has been issued to you by the Massachusetts Department of Transportation (MassDOT).

Your attention is called to the time frame allowed for completion of said work. If an extension of time is required or an alteration to any of the permit conditions becomes necessary, application for such changes should be made as soon as possible to the District Highway Director.

Upon completion of the work, please fill out this form and forward it to:
Massachusetts Department of Transportation, District Four, 519 Appleton Street,
Arlington, MA 02476.

IF THIS NOTICE IS NOT RETURNED. THE LIABILITY ASSUMED UNDER
THIS PERMIT WILL CONTINUE.

By Authority of the Massachusetts Department of Transportation District Four
Highway Director.

I hereby notify you that the work outlined and authorized under the terms and conditions of MassDOT Permit No. _____ has been completed in accordance with
all requirements of MassDOT. The date of completion: _____

Permit Grantee: _____

Signed: _____

City/ Town: _____

Date: _____